

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

In re:	)	Chapter 11
	)	
CIRCUIT CITY STORES, INC.	)	Case No.: 08-35653-KRH
	)	
	)	
Debtor.	)	
	)	

**AMENDED MOTION OF THE COLUMBUS DISPATCH FOR ALLOWANCE OF  
ADMINISTRATIVE EXPENSE CLAIM PURSUANT TO 11 U.S.C. §503(b)(1)(A)**

The Columbus Dispatch (“Columbus Dispatch”), by and through its counsel, hereby moves for Allowance of its Administrative Expense Claim in the amount of \$82,001.44 pursuant to § 503(b)(1)(A) of Title 11 of the United States Code (the “Bankruptcy Code”) and in support of its Motion respectfully sets forth as follows:

**JURISDICTION AND VENUE**

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).
2. Venue of this case and this Motion are proper pursuant to 28 U.S.C. §§ 1408 and 1409.

**BACKGROUND**

3. On November 10, 2008 (the “Petition Date”), the above-captioned debtor and debtor-in-possession (collectively, the “Debtor”) filed a petition for reorganization under Chapter 11 of the Bankruptcy Code and continued the management of its business and properties as debtor-in possession pursuant to §§ 1107(a) and 1108 of the Bankruptcy Code.
4. After the Petition Date, Columbus Dispatch provided certain advertising services

to enable the Debtor to sell its assets, which benefitted the estate and all its creditors. These were actual, necessary costs in order to preserve and obtain the maximum value for estate assets, which were sold to third parties.

5. Columbus Dispatch previously filed a Motion on June 30, 2009, making an Administrative Expense claim for \$37,074.42. In the Motion, Columbus Dispatch reserved the right to “amend, modify and/or supplement” its motion. Subsequently, Columbus Dispatch learned that it had not made a claim for the full amount of services provided and had omitted \$44,927.02. The full amount of its administrative expense claim is \$82,001.44, as set forth in the statement (the “Statement”) attached hereto as Exhibit “A” and “B”.

**RELIEF REQUESTED**

6. By this Motion, Columbus Dispatch requests that this Court enter an order allowing Columbus Dispatch an administrative claim pursuant to § 503(b)(1)(A) of the Bankruptcy Code for the full value of the services provided to the Debtor in the ordinary course of its business after the Petition Date in the aggregate amount of \$82,001.44.

7. As evidenced by the Statement, Columbus Dispatch provided services to the Debtor, which were actual and necessary services and the Debtor received the benefit of the services after the Petition Date, and the value is not less than \$82,001.44. Accordingly, Columbus Dispatch is entitled to an allowed administrative claim in the amount of \$82,001.44 pursuant to § 503 (b)(1)(A) of the Bankruptcy Code.

8. Columbus Dispatch hereby expressly reserves its right to assert additional claims against the Debtor of any nature for any other amounts and to amend, modify and/or supplement this Motion. Further Columbus Dispatch reserves its right to seek to compel payment at a later date.

WHEREFORE, Columbus Dispatch respectfully requests that the Court enter an order

allowing Columbus Dispatch an administrative claim pursuant to § 503(b)(1)(A) of the Bankruptcy Code in the amount of \$82,001.44 and granting to Columbus Dispatch such other relief as is just and proper.

Dated: July 31, 2009

THE COLUMBUS DISPATCH

/s/ Richard E. Biemiller with permission  
By: For Carl A. Eason  
Carl A. Eason (VSB#18636)  
Richard E. Biemiller (VSB#29017)  
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CERTIFICATION OF SERVICE

I hereby certify that on the 31st day of July, 2009, a true copy of the foregoing Motion for Allowance of Administrative Expenses and Notice of Motion was mailed or electronically transmitted to the following:

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Counsel for debtor

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Claims Processing Dept.  
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W. Clarkson McDow, Jr. Esquire  
Office of the U. S. Trustee  
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Richmond, VA, 23219

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/s/ Richard E. Biemiller with permission for  
Carl A. Eason

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